

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LOCAL NO. 1 S.E.I.U. PENSION TRUST FUND)
and LOCAL NO. 1 S.E.I.U. HEALTH FUND,)

Plaintiffs,)

v.)

FRONTIER REALTY GROUP, INC., an Illinois)
Corporation,)

Defendant.)

BANK OF AMERICA CAPITAL CORPORATION,)
SUCCESSOR TO LA SALLE BANK, NA,)

Third-Party Citee.)

1:18-CV-7102

Judge Coleman
Magistrate Weisman

**MOTION FOR JUDGMENT ON
ANSWER TO CITATION TO DISCOVER ASSETS**

NOW COMES the Plaintiffs, Local No. 1 S.E.I.U. Pension Trust Fund and Local No. 1 S.E.I.U. Health Fund, by and through their attorney, Robert B. Greenberg, and move this Honorable Court to enter judgment in the amount of \$10,004.25 in favor of Plaintiffs and against Frontier Realty Group, Inc., an Illinois Corporation, pursuant to Citee's answer to Plaintiffs' Citation, a copy of which is attached hereto, and further to order Citee to pay Plaintiffs the monies due hereunder within ten day from the date of the Court's Order.


ROBERT B. GREENBERG

Robert B. Greenberg
ASHER, GITTLER, GREENFIELD & D'ALBA, LTD.
200 West Jackson Boulevard – Suite 720
Chicago, Illinois 60606
(312) 263-1500

(01/30/08) CCN 0121 B

ANSWER OF THIRD PARTY RESPONDENT CITATION

This first section must be filled out by the judgment creditor.

Citation/Respondent: BANK OF AMERICA, N.A. Court Date: 1-18-CV-7102
 Defendant's Name: Frontier Realty Group Inc. Case No. 1-18-CV-7102
 Judgment Balance: \$ \$10,004.25
 This is a Citation: Freeze up to double the Judgment Balance.

INTERROGATORIES

1. On the date of service of the citation, did you have in your possession, custody or control any personal property or monies belonging to the judgment debtor? ☒ Yes ☐ No

IF THE ANSWER IS "YES" GO TO NEXT QUESTION. IF "NO" GO TO INSTRUCTIONS.

2. Is this an IRA account? Or have all of the deposits made during the past 90 days been electronically deposited and identified as exempt Social Security, Unemployment Compensation, Public Assistance, Veteran's Benefits, Pension or Retirement or by a source drawing from any other statutory exemptions? ☐ Yes ☒ No

IF THE ANSWER IS "YES" GO TO NEXT QUESTION. IF "NO" GO TO INSTRUCTIONS.

3. Is/Are the account(s)' current balance equal to or less than the total of the exempt deposits? ☐ Yes ☒ No

IF YOU ANSWERED "YES" TO ALL 3 QUESTIONS AND FUNDS IN THE ACCOUNT(S) ARE EXEMPT, DO NOT FREEZE THE FUNDS AND GO TO "INSTRUCTIONS" BELOW.

	ACCOUNT BALANCE	AMOUNT WITHHELD
4. A) Savings Account	\$ <u>38,896.28</u>	\$ <u>20,008.50</u>
B) Check/MMA/Now Account	\$ <u> </u>	\$ <u> </u>
C) Certificate of Deposit	\$ <u> </u>	\$ <u> </u>
D) Trust Account/Other	\$ <u> </u>	\$ <u> </u>
(Describe)		
E) Safety Deposit <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
F) Land Trust No.		
G) Less Right of Offset for Loans		\$ <u>20,008.50</u>

TOTAL AMOUNT FROZEN:

5. List all electronic deposits into account(s) and their source(s) except deposits:

Account Number

Source

Monthly Amount

6. List all joint account holders or adverse claimants:

Name	Address	Account Type	Account Number
<u> </u>	<u> </u>	<input type="checkbox"/> Checking <input type="checkbox"/> CD Savings	<input type="checkbox"/> Account Number
<u> </u>	<u> </u>	<input type="checkbox"/> Checking <input type="checkbox"/> CD Savings	<input type="checkbox"/> Account Number
<u> </u>	<u> </u>	<input type="checkbox"/> Checking <input type="checkbox"/> CD Savings	<input type="checkbox"/> Account Number

INSTRUCTIONS

(1.) Fill out and sign the certification below. (2.) This Answer must be filed at least three (3) days before the court date to assure timely processing. (3.) Fax or mail a copy of this Answer to (i) the Court, (ii) Plaintiff's attorney and (iii) Judgment Debtor. If filing in the First Municipal District, you may fax to (312) 603-6522 or mail to the Clerk of the Court, Richard J. Daley Center, 50 W. Washington street, Room 602, Chicago, IL 60602. (4.) You will receive a copy of a Court Order by fax or mail instructing you how to proceed and where to send any withheld funds.

CERTIFICATION

Under the penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct and that I have mailed this Answer to Defendant(s).

Date: 1-8-19
 Respondent Name: Bank of America, N.A.

Print Agent Name: Richard Salzman

Address: 213-580-0702
 Telephone: 213-580-0702
 FAX: FAX 617-310-2751


Bank of America
 Legal Order Processing
 DE5-024-02-08
 PO BOX 15047
 Wilmington DE 19850

Signature of Agent: Richard Salzman

AFFIDAVIT OF SERVICE

ROBERT B. GREENBERG, being duly sworn, says that he is an attorney associated with Asher, Gittler & D'Alba, Ltd., attorneys for Plaintiffs in this action, and that he served the attached upon:

BANK OF AMERICA CAPITAL CORPORATION
Legal Order Processing
DE5-024-02-08
P.O. Box 15047
Wilmington, DE 19850


ROBERT B. GREENBERG

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1:18-CV-7102

Judge Coleman
Magistrate Weisman

JUDGMENT ORDER

This cause coming on to be heard on Plaintiffs' Motion or entry of Judgment on Citee's Answer, and the Court being duly apprised in the premises,

IT IS NOW THEREFORE ORDERED:

That Citee, Bank of America Capital Corporation, Successor to La Salle Bank, NA, is directed to turn over to Plaintiffs the amount of \$10,004.25 within 10 days from the date of the Court's Order in satisfaction of Plaintiffs' judgment against Defendant and in accordance with Citee's answer to Plaintiff's Citation.

ENTER:

DATED: _____

U.S. District Court Judge

Robert B. Greenberg
ASHER, GITTLER & D'ALBA, LTD
200 West Jackson Blvd, Suite 720
Chicago, Illinois 60606
(312) 263-1500